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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,

v.

MYKALAI KONTILAI,
aka MICHAEL CONTILE,
Defendant.

Case No. 2:20-cr-00109-JAD-DJA

**Order to
Continue Detention Hearing (Second
Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between Jason V. Frierson, United States Attorney, Jessica Oliva, Assistant United States Attorney, Sara Hallmark and Brandon Burkart, Trial Attorneys in the Fraud Section of the U.S. Department of Justice's Criminal Division, and George Lambert, counsel for Mykalai Kontilai ("defendant"), that the detention hearing scheduled for May 14, 2024 at 10:00

1 a.m., be vacated and set to a date and time convenient to this Court, but no sooner than 7
2 days.

3 This stipulation is entered into for the following reasons:

4 1. On May 7, 2024, defendant Mikalai Kontilai was brought before the
5 Honorable Nancy J. Koppe in Las Vegas, Nevada, for an initial appearance, arraignment,
6 and plea hearing in District of Nevada case no. 2:20-cr-00109-JAD-DJA, *United States v.*
7 *Mykalai Kontilai*. The Government moved for detention under 18 U.S.C. § 3142(f). The
8 defendant requested to continue that hearing by five business days under the same statute,
9 and the Court set the hearing for May 14, 2024 at 10 am. The Court ordered the defendant
10 temporarily detained pending this hearing.

11 2. On May 7, 2024, defendant Mikalai Kontilai was also brought before Judge
12 Koppe in Las Vegas for an appearance in accordance with Federal Rule of Criminal
13 Procedure 5 in connection with an indictment in District of Colorado case no. 1:20-cr-83-
14 WJM, *United States v. Mykalai Kontilai*. The Government moved for detention under 18
15 U.S.C. § 3142(f). The defendant requested to continue that hearing by five business days
16 under the same statute, and the Court set the hearing for May 14, 2024 at 10 am. The Court
17 ordered the defendant temporarily detained pending this hearing.

18 3. As of May 9, 2024, the undersigned counsel for the defendant has been
19 unable to meet with the defendant in person since his May 7 hearings.¹ As a result, defense
20 counsel has been unable to obtain the defendant's assistance and approval of information to
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23 ¹ On May 9, 2024, after receiving notice from defense counsel of his inability to schedule a
24 meeting with his client, undersigned counsel for the USAO notified the U.S. Marshal
Service. The undersigned AUSA understands that the USMS is working to ensure access.

1 be released in connection with his detention hearing arguments, including arguments
2 relating to the defendant's health.

3 4. Under 18 U.S.C. 3142(f), the court may continue a detention hearing for
4 longer than five business days if requested by the defendant (or more than three business
5 days if requested by the government) where the court finds good cause exists for doing so.
6 Here, good cause exists to continue the defendant's detention hearings, as defense counsel
7 needs additional time to confer with his client in order to prepare for those hearings.

8 5. The defendant is in custody and agrees to this continuance.

9 6. The parties agree to this continuance.

10 7. This is the second request to continue the detention hearings in these cases.

11 DATED this 9th day of May, 2024.

12 Respectfully submitted,

13 By____/s/_____
14 GEORGE LAMBERT
15 Counsel for Defendant

JASON M. FRIERSON
United States Attorney

16 By____/s/_____
17 JESSICA OLIVA
18 Assistant United States Attorney

19 GLENN S. LEON
20 Chief, Fraud Section
21 Criminal Division
22 U.S. Department of Justice

23 By____/s/_____
24 SARA HALLMARK
BRANDON BURKART
Trial Attorneys

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,

Case No. 2:20-cr-00109-JAD-DJA

v.

MYKALAI KONTILAI,
aka MICHAEL CONTILE,

Defendant.

Order Granting Stipulation to Continue Detention Hearing

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based on the parties' stipulation to continue the detention hearing, and good cause appearing therefore, the Court finds that:

1. On May 7, 2024, defendant Mikalai Kontilai was brought before the Honorable Nancy J. Koppe in Las Vegas, Nevada, for an initial appearance, arraignment, and plea hearing in District of Nevada case no. 2:20-cr-00109-JAD-DJA, *United States v. Mykalai Kontilai*. The Government moved for detention under 18 U.S.C. § 3142(f). The defendant requested to continue that hearing by five business days under the same statute, and the Court set the hearing for May 14, 2024 at 10 am. The Court ordered the defendant temporarily detained pending this hearing.

2. On May 7, 2024, defendant Mikalai Kontilai was also brought before Judge Koppe in Las Vegas for an appearance in accordance with Federal Rule of Criminal Procedure 5 in connection with an indictment in District of Colorado case no. 1:20-cr-83-WJM, *United States v. Mykalai Kontilai*. The Government moved for detention under 18 U.S.C. § 3142(f). The defendant requested to continue that hearing by five business days

1 under the same statute, and the Court set the hearing for May 14, 2024 at 10 am. The Court
2 ordered the defendant temporarily detained pending this hearing.

3 3. As of May 9, 2024, the undersigned counsel for the defendant has been
4 unable to meet with the defendant in person since his May 7 hearings.² As a result, defense
5 counsel has been unable to obtain the defendant's assistance and approval of information to
6 be released in connection with his detention hearing arguments, including arguments
7 relating to the defendant's health.

8 4. Under 18 U.S.C. 3142(f), the court may continue a detention hearing for
9 longer than five business days if requested by the defendant (or more than three business
10 days if requested by the government) where the court finds good cause exists for doing so.
11 Here, good cause exists to continue the defendant's detention hearings, as defense counsel
12 needs additional time to confer with his client in order to prepare for those hearings.

13 5. The defendant is in custody and agrees to these continuances.

14 6. The parties agree to these continuances.

15 7. This is the second request to continue the detention hearings in these cases.

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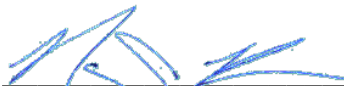
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23 ² On May 9, 2024, after receiving notice from defense counsel of his inability to schedule a
24 meeting with his client, undersigned counsel for the USAO notified the U.S. Marshal
Service. The assigned AUSA submits that the USMS is working to ensure access.

ORDER

IT IS HEREBY ORDERED that the detention hearing currently scheduled for May 14, 2024, at the hour of 10:00 a.m. is continued to May 20, 2024, at 10:00 a.m. Additionally, as Defendant has filed a motion to proceed pro se, Docket No. 34, the Court will also conduct a Faretta canvas. The Court enters a temporary detention order pending the continued detention hearing.

IT IS SO ORDERED.

DATED: May 13, 2024.



NANCY J. KOPPE
UNITED STATES MAGISTRATE JUDGE